

VIRGINIA ACTS OF ASSEMBLY -- 1997 RECONVENED SESSION

CHAPTER 874

An Act to amend and reenact § 15.1-11.2:2 of the Code of Virginia, relating to defacement of structures.

[H 2458]

Approved April 2, 1997

Be it enacted by the General Assembly of Virginia:

1. That § 15.1-11.2:2 of the Code of Virginia is amended and reenacted as follows:

§ 15.1-11.2:2. Authority of counties, cities and towns to remove or repair the defacement of buildings, walls, fences and other structures.

The governing body of any county, city or town, by ordinance, may undertake or contract for the removal or repair of the defacement of any public building, wall, fence or other structure or any private building, wall, fence or other structure where such defacement is visible from any public right-of-way. Prior to such removal, the locality shall seek the written permission of the property owner. Should the property owner fail to provide such permission within ten days, the locality may maintain a public nuisance action against the property owner in order to compel the property owner to allow removal or repair of the defacement. After receiving the written permission or the appropriate court order, the locality may undertake the removal or repair of the defacement. All such removal or repair shall be at the expense of the locality. *The ordinance may provide that whenever the property owner, after reasonable notice, fails to remove or repair the defacement, the locality may have such defacement removed or repaired by its agents or employees.*